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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,300	05/17/2001	Klaus Lindemann	P277884	6583

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EXAMINER
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JACKSON, BLANE J

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/806,300

Applicant(s)

LINDEMANN, KLAUS

Examiner

Blane J. Jackson

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-14 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments regarding the Final Rejection filed with the request for pre-appeal brief request, filed 11 November 2005, with respect to the rejection(s) of claim(s) 1-14 under Boltz and Hentila have been fully considered and are persuasive. Therefore, the Final Rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Boltz and Foti.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boltz (U.S. Patent 6,131,024) in view of Foti (US 5,784,442).

As to claims 1 and 8, Boltz teaches a method and arrangement for transmitting credit/charging information to a mobile station, the method/ arrangement including:

Maintaining credit/charging information related to the subscriber of the mobile station in a network node (HLR or intelligent node, column 3, line 41 to column 4, line 11),

Detecting a call setup request wherein the a call setup request indicates a call chargeable to the subscriber of the mobile station but does not include the credit/charging information,

Based on the call setup request, determining the credit/charging information maintained in the network node (column 4, lines 41-47),

Establishing the call (column 4, lines 47-58),

Detecting a termination of the call,

Updating the credit/charging information maintained network node (figures 2 and 3, column 5, lines 15-27: (MSC updates the current usage amount of time or money spent and stores the data in the VLR at call completion).

Boltz also teaches sending the credit/charging information to the mobile station as a connectionless message during call setup (column 4, lines 41-58) or upon subscriber request (by USSD or MMI message, column 5, lines 27-36), but does not teach sending the information in response to the detection of the call termination.

Foti teaches a method for providing real time billing information to mobile subscribers where each real time billing (RTB) subscriber is provided with a readout of the charges for each call immediately after each call is completed, figure 2, column 5, lines 9-27 and column 6, lines 20-27). Foti further teaches the message of charges may be delivered by a short message service center and the air interface control channel to the display of the RTB subscriber's telephone, column 6, lines 13-20.

Since Boltz teaches call charge information is automatically provided to the user during call setup, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify Boltz with the automatic notification approach of Foti at call completion such that the subscriber has the convenience of phone usage or recharge decisions prior to any subsequent call attempt by the subscriber or other designated user.

As to claim 2, Boltz teaches claim 1 further comprising defining an upper limit for an accumulated price of telephone calls, monitoring the accumulated price of telephone calls and allowing a new call only if the accumulated price of telephone calls is less than the upper limits (column 4, lines 41-58).

As to claim 3 with respect to claim 1, Boltz and Foti teach wherein the connectionless message is a short message (Foti-column 6, lines 16-20).

As to claim 4 with respect to claim 1, Boltz teaches the connectionless message is an Unstructured Supplementary Service Data message (column 4, lines 1-11).

As to claim 5 with respect to claim 1, Foti of Boltz modified teaches releasing the call with sufficient delay to allow sending the connectionless message without paging the mobile station separately after detecting the termination of the call (charges are sent to the RTB subscriber through an x.25 port to the subscriber's HLR and delivered to the subscriber via SMS using a control channel, column 6, lines 13-27).

As to claims 11 and 13 with respect to claims 1 and 8, Foti of Boltz modified teaches the system is further configured to send to the mobile station a price of a call (column 5, lines 16-20).

Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boltz (U.S. Patent 6,131,024) and Foti (US 5,784,442) in view of Hentila.

As to claims 7 and 9, with respect to claims 1 and 8, Boltz modified does not teach a system comprising a Service Control Point of an Intelligent Network, the Service Control Point including a Service Logic Program configured to send the credit/charging information in response to detection of the call termination.

Hentila teaches an intelligent network to handle different and evolving call services comprised of a Service Switching Point (SSP) to give the user access to the network and detects service requests of the intelligent network, a Service Control Point (SCP) comprising the programs of the service logic and a service data Point (SDP) that contains the program service data (column 1, lines 39-67). This network under SCP control is used to coordinate and implement call services where the call may be monitored in respect to call accumulation and other condition indicated in the subscriber record (figure 3, column 8, lines 11-29 and column 4, lines 34-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to realize in the basic architecture in the system of Boltz modified application of the intelligent network and prepaid call control system of Hentila for an intelligent

network to direct the operational steps to determine, communicate and send credit/charging information to the mobile station.

As to claim 10, Foti of Boltz modified teaches her arrangement of claim 9 further comprising a separate processor configured to format the credit/charging information (figure 2, local Post Processing Unit (23) with computer (24), column 6, lines 9-16).

As to claims 12 and 14 with respect to claims 1 and 8, Boltz teaches the subscriber defines the limit usage based on charging information, column 3, lines 41-57, but does not specifically teach the system is configured to send to the mobile station a lifetime of available credit.

Hentila teaches subscriber defined instruction located at a service control point of an intelligent network with real time calculations for the call, where the instructions indicate how to perform when certain conditions are met including when predetermined charges are exceeded or certain number of calls allowed with the subscriber notified accordingly, column 6, lines 46-59, column 7, lines 21-37. Hentila specifically teaches the call can be monitored in respect of other conditions indicated in the subscriber record such that at the end of the call, the subscriber's account shows the real time balance, column 8, lines 22-29).

It would have been obvious to one of ordinary skill in the art at the time of the invention to identify in the subscriber defined call control system of Boltz the additional

subscriber call control instructions of Hentila to report the subscriber's account status regardless of the specific account credit arrangements.

### ***Allowable Subject Matter***

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nguyen et al. (US 6,070,067), Patel (US 5,835,856) and Granberg (US 6,195,543).

Frisk (US 6,430,406) essentially teaches the prepaid phone with charge status reporting in accordance to the applicant's claims but the applicant is acknowledged with priority due to an earlier effective filing date.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J. Jackson whose telephone number is (571) 272-7890. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.




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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJJ

  
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